REMARKS

The present response is to the Office Action mailed in the above-referenced case on December 29, 2003. Claims 1 and 3-5 are pending in the application. The Examiner has objected to the previous amendment filed by applicant on October 22, 2003, under 35 U.S.C. 132, and has rejected claims 1 and 3-5 under 35 U.S.C. 112, first paragraph. Claims 1 and 3-5 are further rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1 and 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maxemchuk (U.S. 6,219,346), hereinafter Maxemchuk, in view of Buhrmann (U.S. 5,903,845), hereinafter Buhrmann.

Applicant has again carefully studied the reference of Maxemchuk, and the newly presented reference of Buhrmann, and has carefully reviewed the Examiner's rejections and statements of the instant Office Action. In response to the Examiner's objection of the previously filed response, applicant provides clarification to the Examiner to overcome the objection. Regarding the Examiner's rejection of applicant's claims due to informalities and on the merits, applicant herein cancels the standing claims and presents a new claim, which more particularly and distinctly claims the subject matter of applicant's invention regarded as patentable. Applicant further provides facts and arguments to more particularly point out the patentable subject matter as recited in the new claim, clearly and unarguably distinguishing applicant's invention over the prior art presented.

Regarding the Examiner's objection to applicant's previously filed response, the Examiner has stated that, as in claim 1, the recitation "at the client communicator device regardless of whether or not the client device is connected to", which is language added to claim 1 by amendment in applicant's previous

response, is newly added material not supported or disclosed in the original disclosure of the specification. Applicant respectfully traverses the Examiner's statement.

Applicant wishes to direct the Examiner's attention to applicant's specification, beginning on page 21, line 6, entitled "*Personal Router in Client*", wherein it is disclosed that a software application known to the inventor as a personal router application is employed in the DNT-capable telephony system, for flexibility in routing. The executable application at the hand-held communicator unit, as further described beginning on line 14 of page 21 of the specification, is applicant's claimed personal router application, which may enable the user of the hand-held unit, among other capabilities, to "program alternative actions for incoming calls". Applicant respectfully points out to the Examiner that such programming alternative actions for incoming calls, as is further disclosed in this portion of the specification, updates the personal router application, which is executable both on the hand-held units and system routers. It is clearly inherent, therefore, that re-programming the personal router application at the hand-held unit would not require connection and communication with the system routers.

It is further detailed in the specification (page 22, lines 3-5) that the "personal router application provides maximum flexibility to the user without requiring additional equipment. A user need not be resident in any one voice/data system in order to apply his personal routing rules". Applicant argues the specific passages of the specification further support applicant's previous claim amendment objected to by the Examiner in the present response.

Regarding the Examiner's rejection of the claims due to informalities and on the merits, applicant presents a new independent claim which embodies all of the subject matter of applicant's invention regarded as patentable, clearly distinguishing over the prior art, either singly or in combination. Applicant's new claim combines the limitations of applicant's claim 1 as amended in the previous

response, with those of depending claims 3-5, and more distinctly claims the personal router application executable on the base station, transceivers and client communicator units, and applicant's hierarchical network of routers, including at least one master router and a plurality of lower-level routers, wherein the client, through the personal router application, may remotely program changes to the routing data, and further, by the communicator unit of the client moving from one area to another covered by the plurality of transceivers, affects changes to the routing table of the master router, and the master router propagates and maintains the routing table in the lower-level routers based on the detected location of the communicator unit. Claims 3-5 are accordingly canceled. Applicant's newly added claim 6 is reproduced below for convenience.

Applicant's new claim 6 recites:

6. (new) A data network telephony (DNT) system, comprising:

a DNT-capable data network; /

a plurality of wireless transceivers, each transceiver transmitting to a distinct area ;

at least one base station connected to the data network and plurality of wireless transceivers, the base stations adapted to operate the transceivers by a two-way, narrow-band, multiple-channel, real-time duplex radio protocol; /

a plurality of portable computer-enhanced client communicator units, including microphone and speaker apparatus, each assigned a unique address and adapted to communicate with the base stations via the transceivers by the two-way real-time radio protocol and to process DNT calls; /

a hierarchical network of connected routers including a master router and a plurality of lower-level routers between the data network and the base stations, each connected to at least one transceiver; /

a personal router application executable on the routers, base stations, transceivers and client communicator units, wherein each base station is adapted to interact with the client communicator units in personal routing functions; and

a routing table maintained at each of the routers and base stations, the routing table listing addresses of communicators operating in the area of each connected transceiver;

characterized in that individual clients are enabled, through the personal router application, to remotely edit routing rules unique to their own communicator IDs, at the client communicator device, regardless of whether or not the client communicator device is connected to, and communicating with the base station or transceivers, and to upload the edited rules to the base station or transceivers for programming alternative actions for incoming calls, and further characterized in that an operating communicator unit moving from one area to another causes updating to the routing table to occur in a minimum number of routers.

As detailed below by applicant, the new claim clearly and unarguably distinguishes applicant's invention over that of the combined art of Maxemchuk/Buhrmann. Applicant wishes to focus the Examiner's attention on the specific limitation in claim 6 above, which recites "a hierarchical network of connected routers including a master router and a plurality of lower-level routers between the data network and the base stations, each connected to at least one transceiver" and, "a routing table maintained at each of the routers and base stations, the routing table listing addresses of communicators operating in the area of each connected transceiver" and "further characterized in that an operating communicator unit moving from one area to another causes updating to the routing table to occur in a minimum number of routers". The Examiner has stated in the instant Office Action, that Maxemchuk discloses applicant's hierarchical

network of connected routers, wherein the base station and routers maintain a routing table which is updated by the mobile unit moving between cells (col. 10, lines 12-34).

Applicant has carefully studied the specific portion cited and applied by the Examiner, as well as the remainder of the disclosure of Maxemchuk, and argues that there is no such teaching or suggestion anywhere of applicant's hierarchical network of connected routers as in applicant's invention, and recited in applicant's newly added claim 6. Maxemchuk discloses, particularly in the portion cited an applied above, simply determining the location of the user for the purpose of routing data to the user at his current location. Maxemchuk teaches locating the user and then updating the user profile at a single point. Maxemchuk does not teach propagating and maintaining a routing table, and dynamically updating the routing table throughout a network of connected lower-level routers which are in the path of the movement of the communicator unit of the client, as is taught in applicant's invention, and embodied in applicant's newly added independent claim 6. There is clearly no teaching or suggestion of any additional routing tables maintained in each of a plurality of lower-level routers in a hierarchy of connected network routers. Maxemchuk teaches that the user may update the personal profile data utilizing the handheld unit, and upload the changes to the database 118 storing the subscriber profile record, but there clearly is no teaching or suggestion anywhere in the reference of dynamically updating the routing table in a plurality of connected routers as taught and claim in applicant's invention.

The reference of Buhrmann, newly presented by the Examiner in the instant Office Action, also teaches allowing the update of a personal profile similarly to the system of Maxemchuk, but instead, based on the user's schedule data of the client communicator unit. Based on the personal information data, the personal information manager (PIM) of the client communicator unit generates

profile update data, which is transmitted to a telecommunications network node at which the subscriber profile data is stored. However, as in teachings of Maxemchuk, the reference of Buhrmann also only teaches only updating the data to a single point, that being the service control point (SCP 108), which updates the appropriate subscriber profile stored in database 118. There is no teaching or suggestion of applicant's claimed hierarchy of connected network routers, and maintaining and dynamically updating the routing table in selected ones of the plurality of connected network routers. The personal information manager (PIM) of Buhrmann is not a routing application at all, and cannot be used and updated as such; rather, it simply provides a vehicle for the user to update a personal profile based on schedule information of the user's handheld device. Buhrmann teaches an alternative invention for solving an alternative problem from that which is solved by applicant's invention, and as such, cannot be properly combined with Maxemchuk for reading on the key and patentable aspects of applicant's invention, as outlined above.

Buhrmann clearly fails to teach or suggest the deficiencies in Maxemchuk considering applicant's newly recited limitations in independent claim 6. Maxemchuk fails as a primary reference as argued above by applicant, therefore the teachings of Buhrmann combined with Maxemchuk fails to produce applicant's invention as recited in the new claim. Neither reference teaches or suggests applicant's claimed hierarchy of network connected routers, or propagating, maintaining and updating routing tables, from a master router, over a hierarchical network of connected routers, to only those lower-level routers in the network of routers (claimed minimum number of routers) that are in the path of to where the particular communicator unit happens to be registered at that time, based on the movement of the hand-held client communicator device through the area covered by the transceivers.

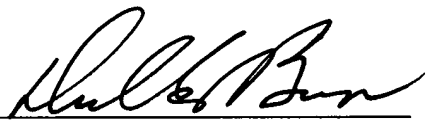
In view of applicant's newly added claim 6, and arguments presented above by applicant, who clearly distinguishes applicant's invention over the combined art of Maxemchuk/Buhrmann, applicant believes claim 6 is clearly and unarguably patentable over the combined prior art. Claim 1, and depending claims 3-5 have been canceled.

As all of the claims as newly presented and argued above are clearly shown to be patentable over the prior art either singly or in combination, applicant respectfully requests that the rejections be withdrawn after Final, and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,

Dan Kikinis

by 

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